



UNITED STATES **PARTMENT OF COMMERCE**
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APPLICATION NO.	FILING DATE	FIRST-NAMED INVENTOR	H	ATTORNEY DOCKET NO.
08/795,708	02/04/97	BETTER		

QM11/0429

WILEY EXAMINER

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ART UNIT 23	PAPER NUMBER
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04/29/98

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary	Application No. 08/795,708	Applicant(s) Oetiker
	Examiner LEE WILSON	Group Art Unit 3723

Responsive to communication(s) filed on _____

This action is **FINAL**.

Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire Three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

Claim(s) 1-27 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

Claim(s) _____ is/are allowed.

Claim(s) 1-27 is/are rejected.

Claim(s) _____ is/are objected to.

Claims _____ are subject to restriction or election requirement.

Application Papers

See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

The drawing(s) filed on _____ is/are objected to by the Examiner.

The proposed drawing correction, filed on _____ is approved disapproved.

The specification is objected to by the Examiner.

The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d):

All Some* None of the CERTIFIED copies of the priority documents have been received.

received in Application No. (Series Code/Serial Number) _____.

received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

Notice of References Cited, PTO-892

Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

Interview Summary, PTO-413

Notice of Draftsperson's Patent Drawing Review, PTO-948

Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following numeral are not mentioned in the specification: 127, 128, 129, 129', 140-143, 132-135, 310, 311, 311', 330, 330', 333, 335, 360, 360', 370, and 380 but are shown in the drawings . Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. Claims 1-27 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

a. The following claims lack proper antecedent basis:

- i. "the outer surface" in claim 1, line 9.
- ii. "the radial direction" in claim 14, line 7.
- iii. "the radial direction" in claim 19, line 6.

b. The following phrases are vague, indefinite, and/or awkwardly and confusingly worded:

- i. "internal and . . . means." in claims 5 and 16, lines 2-4. What is meant by the statement "non-positively connecting"? This renders the claim vague and indefinite.

Art Unit: 3723

Allowable Subject Matter

3. Claims 1-27 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112 set forth in this Office action.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Smith et al, Lajoie et al, DeBoalt et al, Himmelberger, Pfeiffer, Clarke, Duffield et al, Lillbacka, and Clark disclose a device.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lee Wilson whose telephone number is (703) 305-4094. The Group fax phone number is (703) 305-3579.

ldw

April 24, 1998



JAMES G. SMITH
PRIMARY EXAMINER
ART UNIT 323